

REMARKS

This responds to the final Office Action dated 22 January 2009. Claims 1, 12, 20 and 28 have been amended. Support for the amendments to the claims is provided by at least FIG. 1B and the related description of that figures throughout the present application. No new matter has been added. Claims 31-37 were withdrawn previously. Therefore, claims 1-30 are under consideration in the application at this time.

Claim Rejections - 35 U.S.C. § 103

Claims 1-30 stand rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over U.S. Patent No. 6,898,692 to Ginn et al. in view of U.S. Patent No. 6,535,764 to Imran et al. Applicant respectfully traverses this rejection.

Claim 1 as amended above recites “a locking apparatus separate from the filament, anchor, and sealing plug.” Claim 12 as amended recites “a locking apparatus that is separate from the internal and external components.” Claim 20 as amended recites “the one-way lock separate from the carrier tube, anchor, and sealing plug.” Claim 28 as amended recites “wherein the strap and locking hub are separate from the filament, anchor and sealing plug.”

Ginn, alone or in combination with Imran, fails to disclose or suggest these limitations of claims 1, 12, 20 and 28. The Examiner points to the embodiment of Ginn discussed at col. 19, lines 24-35 for the teaching of a one-way lock having a strap and hub ratchet mechanism. However, the features disclosed in this embodiment of Ginn fail to meet the limitations of claims 1, 12, 20 and 28 recited above. Ginn discloses that

the plug member 12 “may include flanges or other locking elements (not shown).” There is no teaching or suggestion by Ginn of providing the “flanges or other locking elements” of the plug member 12 as “separate from” the plug member as recited in claims 1, 12, 20 and 28. Further, the guide wire element 116 disclosed by Ginn (what the Examiner identifies as a “filament”) may optionally “include ratchet elements (not shown) that may allow the locking elements to [move] over the ratchet elements in a distal direction, but interlock to prevent movement in a proximal direction.” There is no teaching or suggestion by Ginn to provide the ratchet elements of the guide wire element 116 as “separate from” the guide wire element 116, as recited in claims 1, 12, 20 and 28.

Although Ginn does not provide an illustration of the embodiment described at col. 19, lines 24-35, it is clear from this description that the “flanges or other locking elements” are part of the plug member 12, and the “ratchet elements” are part of the guide wire element 116. Thus, Ginn fails to disclose or render obvious every limitation of claims 1, 12, 20 and 28, and the claims that depend from them.

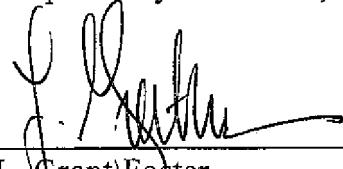
Imran fails to remedy the deficiencies of Ginn as it relates to claims 1, 12, 20 and 28. Imran is cited only for its teaching at FIGS. 30A-31B of a closure apparatus having a ratchet locking mechanism. Therefore, Ginn, alone or in combination with Imran, fails to disclose or render obvious every limitation of claims 1, 12, 20 and 28, and the claims that depend from them. As such, Applicant respectfully requests that the rejection of claims 1-30 be withdrawn.

Conclusion

For at least the foregoing reasons, Applicant believes that each of the presently pending claims in this application is in immediate condition for allowance. Accordingly, Applicant respectfully requests a favorable action on the merits. If the Examiner has any further comments or suggestions, Applicant invites the Examiner to telephone the undersigned attorney to expedite the handling of this matter.

Applicant expressly disclaims all arguments, representations, and/or amendments presented or contained in any other patent or patent application, including any patents or patent applications claimed for priority purposes by the present application or any patents or patent applications that claim priority to this patent application. Moreover, all arguments, representations, and/or amendments presented or contained in the present patent application are only applicable to the present patent application and should not be considered when evaluating any other patent or patent application.

Respectfully submitted,



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